

BEFORE THE BOARD OF ZONING ADJUSTMENT, F. C.

Application No. 11970, of Richard G. and Mary Lee N. Amato and James R. Galvagna, pursuant to Section 8207.2 of the Zoning Regulations for permission to change a non-conforming use (plumbing Office) to general office use in the R-4 zone as provided by Sections 7104.2 and 7109 of the regulations, at the premises 714-11th Street, S.E., Lot 831, Square 995.

HEARING DATE: August 20, 1975

DECISION DATE: September 5, 1975

FINDINGS OF FACT:

1. Applicant proposes to change the use of a three (3) story structure from a plumbing office to a general office use. The first (1st) floor of the structure contains one (1) apartment in addition to the office use and there are two (2) apartments each on the second (2nd) and third (3rd) floors.

2. The Board approved the existing non-conforming use of a plumbing office in B.Z.A. Order No. 7763, dated June, 1974.

3. Testimony by the Zoning Administrator at public hearing stated that the existing non-conforming use of the plumbing office is a C-1 use.

4. A letter from the Capitol Hill Restoration Society dated August 20, 1975 and testimony at public hearing recommended approval of the application, the neighborhood and the building would be upgraded. Although some neighbors would prefer a residential use of the building major structural alterations would be required. The building has been renovated recently and the general office use is preferable to the previous use which actually operated as a plumbing shop not an office. The subject property is located just north of the portion of its own zoned C-2-A and just one block south of the Z-2-A zone on Pennsylvania Avenue, S.E. The recommendation of the Society to approve the application is conditioned upon the following:

a. A maximum of five (5) persons will be employed on the premises.

b. Total sign space will be limited to six (6) square feet.

c. No sign will be of the neon or integrally lighted type.

5. There is no parking on the premises but on-street parking is available.

6. Applicant consents to all three (3) conditions of the Capitol Hill Restoration Society, therein above set forth.

7.. There was no opposition of record.

CONCLUSIONS OF LAW:

Based upon the above findings of fact and the evidence of record the Board finds pursuant to Sections 7104.2 and 7109 of the Zoning Regulations that the proposed use although not a neighborhood facility, is a type not objectionable to the neighborhood. The proposed use is of the same intensity as the existing use and the structure is adjacent to a C-2-A zone, which is of greater intensity. Although no parking is provided on the premises, on-street parking is available. There will be no noise, traffic, or other deleterious external effect generated by the use and it will not adversely affect the present character or future development of the neighborhood. The Board finds that the proposed use is in harmony with the general purpose and intent of the Zoning Regulations and will not tend to adversely affect the use of the neighboring property.

ORDER: It is hereby Ordered that the above application be, GRANTED CONDITIONALLY as Follows:

- (1) No more than maximum number of five (5) persons will be employed on the premises.
- (2) Total sign space on the subject premises will be limited to six (6) square feet.
- (3) No sign will be of the neon or integrally lighted type.

VOTE: 3-0 (Mr. Scrivener and Lilla Burt Cummings, Esq., not voting, not having heard the case.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: *James E. Miller*
JAMES E. MILLER, SECRETARY TO THE BOARD

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF ORDER: *Nov 12, 1975*